

VILLAGE OF BONDUEL
VILLAGE BOARD MEETING
AUGUST 10, 2016

Following the Pledge of Allegiance and moment of silence, President Sharon Wussow called the meeting to order at 7:00 p.m.

Wussow read a statement regarding the posting of the meeting.

Present: Sharon Wussow, Robert Luepke, Joan Kamps, Mary Barney, Dick Sibert, Luka Zischka.

Absent: Shawn Thorne, excused.

AGENDA: Motion by Kamps, second by Luepke, to approve the agenda and deviate as necessary. Motion carried.

MINUTES: Motion by Sibert, second by Zischka, to approve the minutes of the July 13, 2016 and July 27, 2016 meetings. Barney questioned Thorne's comment regarding the July 13 minutes - Item K12: Resident's request to purchase vacant lot at 118 E. Cedar Street. Thorne had stated that if the purchaser was willing to "make an offer and have it available for the next meeting, we may be able to either accept or counter the offer." Barney questioned why the letter Clerk Rusch sent to the purchasers did not include that information. Wussow explained the information came from our Village Attorney Tim Schmid after the Board meeting, so the letter reflected only the advice received from him. At the time of the meeting, the minutes are accurate. Motion carried.

ACKNOWLEDGEMENT OF CITIZENS: Steve Berndt, Director of Municipal Operations; Police Chief Todd Chaney; Willa Rusch, Clerk-Treasurer; and Dennis Tweedale, CEO of League of Wisconsin Municipalities Mutual Insurance.

K1: Presentation on preventing public officials' liability. Dennis Tweedale addressed the Board to present the video *In the Scope of Your Authority: Preventing Public Officials' Liability*. Tweedale referenced the May issue of *The Municipality*, which contained articles regarding municipal liability. The biggest monetary issue in federal court is there is no cap on what can be paid, and if a plaintiff wins, the municipality is liable for attorney fees which are currently about \$550 per hour. Tweedale provided a list of issues which resulted in legal claims against public officials that were defended by the League. These examples were intentional acts, as opposed to accidents. These types of claims are covered under Public Officials' Liability.

Tweedale stated the video is still accurate, however a bit dated. Video concentrates on Board members' duties as public officials. The Board then watched the video.

After the video, Tweedale explained a number of legal and insurance issues. In particular, he discussed recreational immunities provided by WI statutes. If the Village were to charge spectator admission fees for any individual event, it would lose immunity. Charging ball clubs to use the fields does not affect a municipality's recreational immunity. Also, if a spectator admission fee is charged for a ball game at Cedar Park, it would not take away the Village's immunity for the pond.

The Village has replacement-cost coverage on all vehicles. For example, the original cost of the 1989 IHC fire truck was \$106,000, but the replacement cost is \$251,000. Actual cash value is \$18,000. Replacement value and cash value differ drastically.

Tweedale provided two new videos: *Green Megs and Sam: Safety Awareness for New Employees Working Outdoors* and *Personal Consequences of Unsafe Driving*. LWMMI is attempting to develop a

program whereby a municipality will receive a credit on auto liability coverage if it adopts a policy that states "no personal devices while driving" (e.g., cell phones, computers, iPads). Also, LWMMI has a \$1,000 grant for any police department to update their policies and procedures. Presentation having ended, Tweedale left the meeting at 8:20 p.m.

COMMITTEE REPORTS:

Public Safety Committee did not meet. Police, Fire and EMS reports on file. Committee will meet August 31, 2016 at 4:30 p.m.

Administrative Committee met twice, July 19 and August 4. Minutes on file.

Municipal Operations Committee met August 3. DMO report on file. Zischka asked when public will have access to new Cedar Park pavilion. Berndt stated it would be next year. Plumber still has to install interior fixtures. Site restoration was discussed at committee level. It was decided to fence it in to give grass a chance to grow before it gets a lot of heavy use. Project should be done pretty close to original timeline. There will be grass on northwest and south sides of the building and an asphalt walkway on the east side where the rest rooms are and some type of path going out to the gravel parking lot.

Zoning Board of Appeals did not meet.

Library Board met and minutes are on file. Kamps presented highlights. Wussow stated she attended meeting August 4 at the Shawano Library to discuss the \$100,000 in fees being charged to the Shawano Library due to residents using libraries in surrounding counties. Solution being discussed was to consolidate libraries all into a county system. The Bonduel library would become Shawano County Library – Bonduel Branch. Our librarians would become County employees. All library expenses and budget would be the responsibility of the County.

Plan Commission did not meet.

Fire Commission met. Minutes on file.

NEW BUSINESS:

K2: Recognition of Bonduel Boy Scout Troup. Postponed to next meeting.

Clerk's Report on file. For the August 9 Partisan Primary, 16% voter turnout was expected. Bonduel had 175 voters, or 21%. A check for \$41,000 was received from CDBG in payment of a mortgage loan on a property that was sold. These funds are now available for new housing grants.

CORRESPONDENCE: 1) Brochure for the League's 118th Annual Conference, October 19-21 in Stevens Point. Wussow will be attending. Anyone interested should contact Rusch. 2) Letter from Attorney Tim Schmid regarding sexual offender ordinances.

K3: Operator's license applications. Four applications were received and approved by Police Department. Motion by Zischka, second by Luepke, to approve operator's license applications for Brooke Aylesworth, Joan Kamps, Jacqueline Schuettpelz and Kevin Schuettpelz. Motion carried. Kamps abstained.

K4: Personnel evaluation process. Postponed to next meeting.

K5: 2017 Budget Schedule. Rusch explained schedule. Motion by Kamps, second by Zischka, to approve the 2017 Budget Schedule as presented by the Village Clerk. Motion carried.

K6: Leaf machine. Municipal Operations Committee recommends to the Board that we purchase a leaf vacuum from the City of Shawano at a cost of \$10,000, as stated in the email from Shawano employee Eddie Sheppard (email included in Board packet). Zischka asked how long the machine would last. Berndt stated ten to fifteen years. It is a 2002 unit but has been well maintained. Our employees looked at it closely and ran the machine. We will use it less than Shawano because we have less miles of streets. Zischka asked the number of pickups each autumn. Berndt stated typically they go through the entire community three times. Timing will need to be worked out. Rely on Shawano and a few other communities to help put together our schedule. Will have to put information out to residents via newsletter, utility bills, door hangers. If we don't purchase the machine, Shawano will put it up for sale; they are holding it for us now. Zischka asked if it could be used for spring cleanup. Berndt stated the machine is only used for leaves, so a spring cleanup would only occur if an early snow prevented the final autumn leaf cleanup. Motion by Kamps, second by Zischka, to purchase leaf vacuum machine from the City of Shawano for \$10,000. Motion carried.

K7: New municipal building. The new building would include the village hall, clerk's office, police department and fire station. Chief Woldt spoke with a representative from Keller Builders who offered to do a complete Needs Assessment at a cost of \$1,500. This includes meeting with department heads to determine needs and a survey to help decide what kind of building we should build. Administrative Committee would like each committee to begin discussing their needs. Postponed to next meeting to decide on survey.

L1: Building 101 E. Green Bay Street. Attorney Schmid was to compose letter to confirm agreement and include repercussions. No response from him to date. Two support posts have been repaired. Block has not called. No brush has been cut. Zischka felt we need an action plan. We need to find out what Block's goal or his obstacle is. Chaney stated we have a ministerial duty to enforce our codes. If we fail to do that, we would be liable. Rusch to follow up with Attorney Schmid on written agreement.

L2: Building at 505 W. Green Bay Street. Owner had people cleaning out portions of premises. Workers used trucks to haul trash away, but recycle center operator was instructed not to accept any of the trash since they are commercial. Owner had called Chief Chaney prior to beginning work. Chaney left a message with Jaime Bodden of the Shawano County Health Department to advise her of what was going on so if there are any health violations, she will know. She has not returned his call so he will call her again. Asbestos cannot be dumped in any landfill, must be handled by professional contractors. Wussow asked if trailers were empty. Chaney checked on the way here - they are empty.

L3: Resident's request to purchase vacant lot at 118 E. Cedar Street. Attorney Schmid advised that if the Village is willing to sell the property, it would be best to put it out on bids. Wussow's thoughts are to keep it. Zischka stated we are not utilizing the land. By selling it, there would be one less lot to mow, and the Village would gain revenue from it. The idea of a community garden idea could still work since there are other parcels that could be used for that purpose. Chaney recommended having it appraised. Current values of parcels are indicated on map in packet. Nearest comparable property is valued at \$11,000. Wussow feels we do not need to sell it. Barney suggested we could use sale price toward new municipal building. Wussow stated community gardens are a growing trend and these lots could be used for that purpose. Informal vote was taken to see how many Board members were for or against selling the property. Four in favor of selling, two against. Motion by Barney, second by Kamps, to get an appraisal of property at 118 E. Cedar Street. Motion carried. Berndt was directed to contact Tri-County Appraisers.

APPROVAL OF PAYMENTS: Invoices added since packets were prepared: Staples invoice and library bills were just received today. Motion by Zischka, second by Luepke, to approve payments of vouchers. Motion carried.

TREASURER'S REPORT: Motion by Zischka, second by Luepke, to accept Treasurer's Report as printed.
Motion carried.

ANNOUNCEMENTS:

Public Safety Committee

August 31, 2016

4:30 p.m.

Chief Chaney announced that Village Mercantile is hosting Root Beer Floats with Public Safety Staff on August 17 from noon till 2:00 p.m. Root beer floats are \$1.00 and all proceeds go to Police and Fire Departments.

Motion by Luepke, second by Zischka, to adjourn. Motion carried. Meeting adjourned at 9:18 p.m.

Respectfully submitted,

Willa Rusch, Clerk